



1702 Rec'd PCT/PTO 22 SEP 2003 *Receipt*  
PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Mrochen, et al.

Serial No.: 10/031,107

Filed: January 10, 2002

For: CONTROL PROGRAM FOR A  
DEVICE FOR PHOTOREFRACTIVE  
CORNEAL SURGERY OF THE EYE

§  
§  
§  
§  
§  
§  
§  
§  
§

Art Unit: 3739

Examiner: Unknown

**REQUEST TO CORRECT FILING RECEIPT**

Attention: Office of Initial Patent Examination's  
Filing Receipt Corrections  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 223313-1450


Attached is a copy of the official filing receipt received from the U.S. Patent and Trademark Office in the above-identified patent application in which issuance of a corrected filing receipt is respectfully requested. Applicant respectfully requests correction of the following error:

**The title of application should read "Control Program for a Device for Photorefractive Corneal Surgery of the Eye"**

A new Applicant Data Sheet and a copy of the Preliminary Amendment filed with the 371 Requested on January 10, 2002 are enclosed. Please incorporate these changes and forward the corrected filing receipt.

The Commissioner is hereby authorized to deduct any fees which may be required or credit any over payment to Deposit Account 08-1394.

Respectfully submitted,

  
J. Andrew Lowes  
Registration No. 40,706

Date: 9/12/03  
HAYNES AND BOONE, L.L.P.  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Telephone: 972-680-7557  
Facsimile: 972-692-9057  
File: 31567.4  
R-54747.1

Mailing Certificate	
Date of Deposit:	<u>9-15-03</u>
This paper is being deposited with the U.S. Postal Service <del>Express Mail Post Office to Addressee service</del> <i>as First Class Mail</i> under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22331-145 <i>Kle</i>	
<u>Karen L. Underwood</u> Name of person mailing paper and fee	
<u>Karen L. Underwood</u> Signature of person mailing paper and fee	

# RECEIVED

Page 1 of 2

AUG 19 2003



UNITED STATES PATENT AND TRADEMARK OFFICE

**HAYNES and BOONE, LLP**  
**RICHARDSON**

UNITED STATES DEPARTMENT OF COMMERCE  
 Patent and Trademark Office  
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/031,107	01/10/2002	3739	636	31567.4	6	18	4

J Andy Lowes  
 Haynes and Boone  
 901 Main Street Suite 3100  
 Dallas, TX 75202-9918



RECEIVED

CONFIRMATION NO. 6012

CORRECTED FILING RECEIPT



\*OC000000010706846\*

Date Mailed: 08/15/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Michael Mrochen, Dresden, GERMANY;  
 Maik Kaemmerer, Dresden, GERMANY;  
 Theo Seiler, Zell, GERMANY;

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/EP01/04978 05/03/2001

**Foreign Applications**

GERMANY 100 22 995.6 05/11/2000

If Required, Foreign Filing License Granted: 08/14/2003

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

Method for producing a control program for a device used for performing corneal eye surgery

12/10/03 - awaiting OA

Docketed 8/18/03

By caf  
 JAL

Preliminary Class

606

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**FILE COPY****FILE COPY**

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov



Bib Data Sheet

CONFIRMATION NO. 6012

<b>SERIAL NUMBER</b> 10/031,107	<b>FILING OR 371(c) DATE</b> 01/10/2002 <b>RULE</b>	<b>CLASS</b> 606	<b>GROUP ART UNIT</b> 3739	<b>ATTORNEY DOCKET NO.</b> 31567.4
<b>APPLICANTS</b> Michael Mrochen, Dresden, GERMANY; Maik Kaemmerer, Dresden, GERMANY; Theo Seiler, Zell, GERMANY;				
<b>** CONTINUING DATA *****</b> This application is a 371 of PCT/EP01/04978 05/03/2001				
<b>** FOREIGN APPLICATIONS *****</b> GERMANY 100 22 995.6 05/11/2000				
<b>IF REQUIRED, FOREIGN FILING LICENSE GRANTED** SMALL ENTITY **</b> <b>** 08/14/2003</b>				
Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no 35 USC 119 (a-d) conditions <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after met Allowance Verified and Acknowledged _____ Examiner's Signature _____ Initials _____		<b>STATE OR COUNTRY</b> GERMANY	<b>SHEETS DRAWING</b> 6	<b>TOTAL CLAIMS</b> 18
			<b>INDEPENDENT CLAIMS</b> 4	
<b>ADDRESS</b> J Andy Lowes Haynes and Boone 901 Main Street Suite 3100 Dallas ,TX 75202-9918				
<b>TITLE</b> Control Program for a Device for Photorefractive Corneal Surgery of the Eye				
<b>FILING FEE RECEIVED</b> 722	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees		
		<input type="checkbox"/> 1.16 Fees ( Filing )		
		<input type="checkbox"/> 1.17 Fees ( Processing Ext. of time )		
		<input type="checkbox"/> 1.18 Fees ( Issue )		
		<input type="checkbox"/> Other _____		
		<input type="checkbox"/> Credit		